

98CV01887-EHN-mj

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JIHAD RAHMAN BEY,

98 CV 1887

Petitioner,

MEMORANDUM

-against-

AND  
ORDER

UNITED STATES OF AMERICA,

Respondent.

-----x  
JIHAD RAHMAN BEY  
Prisoner # 42950-053  
MCC, 150 Park Row  
New York, NY 10007  
petitioner pro se

ZACHARY W. CARTER, United States Attorney  
Eastern District of New York  
(John R. Kroger, of counsel)  
One Pierrepont Plaza  
Brooklyn, NY 11201  
for respondent

NICKERSON, District Judge:

Petitioner pro se brought this proceeding for a writ of habeas corpus pursuant to 28 U.S.C. § 2255 on the sole basis that he is a free and sovereign Moorish national aborigine and that under the Free Moorish

American Zodiac Constitution his conviction under United States law is void.

The United States does not currently recognize the Free Moorish American Zodiac nation as an independent sovereign. In any event, foreign nationals may be convicted in United States courts and held in United States correctional facilities when they commit crimes within the jurisdiction of the United States.

The petition is denied. A certificate of appealability will not be issued because petitioner has not made a substantial showing of a denial of a constitutional right. See 28 U.S.C. § 2253; Reyes v. Keane, 90 F.3d 676, 680 (2d Cir. 1996).

So ordered.

Dated: Brooklyn, New York  
August 6, 1998

Eugene H. Nickerson  
Eugene H. Nickerson, U.S.D.J.